Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Advanced Television Systems	)	
and Their Impact upon the	)	MB Docket No. 87-268
Existing Television Broadcast	)	
Service	)	
	)	

COMMENTS OF DULUTH-SUPERIOR AREA EDUCATIONAL TELEVISION CORPORATION

Duluth-Superior Area Educational Television Corporation ("Duluth-Superior"), licensee of noncommercial educational television Station WDSE-TV, Duluth, Minnesota, hereby submits these Comments pursuant to paragraph 16 of the Commission's *Seventh Further Notice of Proposed Rule Making* ("*Seventh Further Notice*")[1] in the above-captioned proceeding. These Comments correct certain data concerning Station WDSE-TV contained in Exhibit B of the *Seventh Further Notice*. The corrections are set forth below.

Exhibit B indicates that Station WDSE-TV will operate on DTV Channel 8 with an ERP of 22.1 kW and Antenna ID 74529 at a HAAT of 278 meters. That data appears to assume that Duluth-Superior will operate its permanent DTV facilities from the antenna height of its current Channel 38 DTV antenna and that it will be using a directional antenna – to wit:

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[1] *In re Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service*, MM Docket No. 87-268, Seventh Further Notice of Proposed Rule Making, FCC 06-150, (rel. Oct. 20, 2006).

"MNDULUTH___08," which the Commission's database indicates is a directional antenna. Neither assumption is correct.

Duluth-Superior plans to use, and has always planned to use, its current Channel 8 antenna for its permanent DTV operations. As the attached copy of Duluth-Superior's current license (File No. BLEDT-20060630ACS) indicates, the existing Channel 8 antenna is mounted at a HAAT of 295 meters. Exhibit B indicates that the HAAT of Station WDSE-DT's should be 278 meters. Consequently, Duluth-Superior believes that the forthcoming revised DTV Table of Allotments should list the HAAT of the Station WDSE-DT post-transition facility as 295 meters rather than 278 meters.[2]

Further, as the current WDSE-TV license indicates, the existing WDSE-TV Channel 8 antenna is a Dielectric model TW-9B8-R omnidirectional antenna, Antenna ID 27904, not a directional antenna. As the attached construction permit for Duluth-Superior's maximized DTV facilities indicates (File No. BMPEDT-20000501AIO, granted. May 18, 2001), Duluth-Superior specified a non-directional antenna in that application. While the service contour of Station WDSE-TV's current antenna has the appearance of a directional antenna, Duluth-Superior's consulting engineer, John F.X. Browne, has advised that the apparent directionality of the facility is due to terrain effects, not to any directional characteristics of the antenna itself. Duluth-Superior's use of its current Dielectric antenna after the transition should provide the same field contour shape for the post-transition DTV facility that it currently provides for the NTSC facility. In other words, the apparent directional pattern of Antenna ID 74529, "MNDULUTH___08," which appears to be derived from Station WDSE-TV's existing analog

[2] Duluth-Superior recognizes that a slight reduction of power from the proposed 22.1 kW may be appropriate to offset the 17 meter difference in HAAT.

service contour, should be understood to describe the resulting field contour, not the free-field radiation pattern of the antenna itself. Consequently, the Commission does not need to, nor should it, specify a directional antenna to assure that the Station WDSE-DT's service contours do not exceed the proposed service contours of its maximized DTV authorizations.

Accordingly, Duluth-Superior requests that the Commission correct Exhibit B to indicate that Station WDSE-DT will operate with the existing Dielectric model TW-9B8-R omnidirectional antenna, Antenna ID 27904, at a HAAT of 295 meters. Requiring Duluth-Superior to purchase a new antenna would impose significant added costs, which as the licensee of a noncommercial educational television station in a small market it can ill afford. As Duluth-Superior explained in its request for an extension of time to complete construction of its DTV station in Hibbing, Minnesota, the requirement to operate both an analog and digital television facility has imposed significant financial burdens of Duluth-Superior, including operating at a loss, and requiring it to acquire a unique directional antenna will aggravate that financial situation and could impair its ability to make full use of the expanded programming and service opportunities DTV operation permits.[3]

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[3] *See Waiver Request* filed with Duluth-Superior's request for extension of time to complete construction of Station WRPT, Hibbing, MN. (File No. BEPEDT-20060824AAK); *see also Request of Duluth Superior Area Educational TV Corporation for a Temporary Waiver of Certain EAS Requirements,* filed on December 27, 2006 regarding WDSE-DT.

Conclusion

Accordingly, for the reasons set forth above, Duluth-Superior requests that the Commission correct Exhibit B to the *Seventh Further Notice* to indicate that Station WDSE-TV will operate on Channel 8 with its existing Dielectric model TW-9B8-R omnidirectional antenna, Antenna ID 27904, from that antenna's current HAAT of 295 meters.

Respectfully submitted,

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